

Remarks

Applicant has amended claims 11, 17-19, and 36-38. Applicant respectfully submits that no new matter was added by the amendments, as all of the amended matter was either previously illustrated or described in the drawings, written specification and/or claims of the application. Entry of the amendment and favorable consideration thereof is earnestly requested.

Claim Rejections – 35 USC §112

The Examiner has rejected claims 16-19 and 36-38 under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, the Examiner has stated that it is unclear how the recitation that “a bulkhead,” is provided in order to connect to the feed air duct to the container central duct further limits the claim since the invention is not direct to a ship. (June 26, 2008 OA at 2.)

The Applicant has amended the relevant claims by deleting the claim term “bulkhead” and replacing it with the claim term “gate.” The Applicant respectfully submits that a person having ordinary skill in the art would understand that the claim term “gate,” means a door, valve, or other device for controlling passage, especially of a fluid. No new matter was added by the amendment, as this matter was either previously illustrated or described in the drawings, written specification and/or claims of the present application.

Claim Rejections – 35 USC § 102 / 103

The Examiner has rejected claims 11, 16 under 35 U.S.C. §102(b) as being anticipated by WO 00/10699 to Hüttlin (“Hüttlin”). In addition, the Examiner has rejected claims 17, 19, 36, and 38 under 25 USC § 103(a) over Hüttlin in view of U.S. Patent No. 4,168,913 to Kono (“Kono”).

The Applicant has amended independent claims 11, 36, and 38 by adding the limitation that the process chamber is rotatably fixed relative to said container central

duct about said container longitudinal mid-axis. In addition the Applicant has amended independent claim 11 by adding the limitation that the fan has substantially vertical fan blades.

Missing Container Central Duct Separated from the Process Chamber

Hüttlin does not anticipate the claimed invention because Hüttlin is missing a container central duct separated from the process chamber as required by independent claims 11, 36, and 38. Insofar, reference number 14 in Fig. 1 in Hüttlin denotes the outer housing of the apparatus, and reference number 24 in Fig. 1 denotes the process chamber which contains the particulate material to be treated. The Examiner has indicated that the outer housing of the apparatus 14 meets the process chamber limitation. (June 26, 2008 OA at 2.) The Applicants respectfully submit that the outer housing of the apparatus does not define a process chamber as indicated by the examiner.

Missing Fan

Hüttlin does not anticipate the claimed invention because Hüttlin is missing a fan as required by independent claims 11, 36, and 38. Hüttlin discloses that the bottom of the process chamber 24 is built up by a plurality of horizontal rings (Hüttlin Fig. 4.) The bottom, including the horizontal rings, rotates about axis 34 with the container 24. The horizontal rings are not able to and do not generate an airstream when the bottom rotates. Rather an airstream is fed from below the rings through the slits between the rings, and into the process chamber 24. (Hüttlin Fig. 4.) Due to the horizontal orientation, the rings cannot act as fan blades. Moreover, in Hüttlin, the particulate material is moved in the process chamber from the bottom to top due to the rotation of the container wall (i.e. centrifugal, tangential, or rolled manner, and not by an air stream produced by a fan). (Hüttlin at Abstract.) In the present invention, on the other hand, the particulate material is moved by an airstream produced by a fan.

Missing Fan Blades Substantially Vertical

The Applicant has amended claim 11, to further include the limitation that the fan blades that are substantially vertical. To the extent the Examiner considers the horizontal rings in Hüttlin to be "fan blades," Hüttlin is missing the limitation that the fan blades that are substantially vertical as required by claim 11.

Missing Stationary Process Chamber

Finally, Hüttlin does not anticipate the claimed invention because it is missing the limitation that the process chamber is rotatably fixed relative to said container central duct about said container longitudinal mid-axis as required by independent claims 11, 38, and 38 as amended. As discussed above, in Hüttlin, the particulate material is moved in the container 24 from the bottom to top due to the rotation of the container 24 (i.e. centrifugal, tangential, or rolled manner). (Hüttlin at Abstract.) In other words, container 24 rotates about an axis of rotation 34. While container 24 rotates about axis 34 the housing of the apparatus 14 (process chamber as identified by examiner), remains stationary and does not rotate about axis 34. Therefore, the housing of the apparatus 14 is not rotatably fixed relative to the container 24 about the axis 34.

In the present invention, the particulate is moved through airstream as opposed to rotational force as disclosed in Hüttlin. As air is fed through the apparatus, particulate is carried with it. Assuming, arguendo, that Hüttlin does disclose a process chamber 14 and a container central duct 24 as identified by the Examiner it is still missing the limitation that the process chamber is rotatably fixed relative to the container central duct about the container longitudinal mid-axis. The outer housing of the apparatus (14 process chamber as identified by the Examiner), does not rotate about axis 34, but rather is stationary, while at the same time the container 24 rotates about the axis 34. This is further evident in Fig. 4 to the extent that a particulate receptacle 104 is placed outside the apparatus container in a stationary position, while the inner chamber 24 rotates about axis 34 to create the necessary rotational force to carry the particulate through the apparatus.

Conclusion

For these reasons, it is respectfully submitted that all claims are in order for allowance and early notice to that effect is respectfully requested.

Respectfully submitted,

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/ Wesley W. Whitmyer, Jr./

Wesley W. Whitmyer, Jr., Registration No. 33,558
Attorneys for Applicant
ST.ONGE STEWARD JOHNSTON & REENS LLC
986 Bedford Street
Stamford, CT 06905-5619
Tel. 203 324-6155